

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

BRYAN GORDON,)	
)	
Plaintiff,)	
v.)	C.A. 09-0230-S
)	
CORPORATE RECEIVABLES, INC.,)	
)	
Defendant.)	

PLAINTIFF’S UNOPPOSED¹ MOTION TO DECERTIFY CLASS

Now comes the Plaintiff and moves the Court to decertify the class in the above titled matter. In support of said motion, Plaintiff states as follows.

- 1) On May 18, 2009, Plaintiff filed a class action complaint against Defendant.
- 2) The complaint sought to certify a class of consumers who received collection notices from Defendant that violated the Fair Debt Collection Practices Act (FDCPA).
- 3) To date, Defendant has not filed any responsive pleadings in this matter.
- 4) On January 27, 2010, this Court entered an order certifying the class as “described in paragraph 14 of the Complaint.” Paragraph 14 of the Complaint states that “Plaintiff brings this claim on behalf of a class consisting of (a) all natural persons with addresses in Rhode Island, Massachusetts, Maine, New Hampshire or Puerto Rico (b) to whom defendant sent a letter in the form represented by Exhibit A, (c) which letter was sent on or after a date one year prior to the filing of this action, (d) and was not returned by the postal service.”
- 5) Subsequent to the Court’s Certification Order, the undersigned had discussions with an attorney affiliated with Defendant in which financial data regarding Defendant’s solvency was presented to the undersigned.
- 6) Upon information and belief, Defendant has no assets and is no longer operational. Arizona Corporation Commission’s website indicates that Corporate Receivables, Inc. is not in “Good Standing,” because it has yet to file its 2010 Annual Report and because the corporation’s listed address is “undeliverable.”² Therefore, it makes no sense for this class action to proceed.³

¹ Plaintiff characterizes the Motion as unopposed, because Defendant has yet to file any responsive pleadings in this matter.

² The address listed on Arizona Corporation Commission’s website is the same as the address listed both in the complaint and the Motion for Class Certification, i.e. 3003 North Central Avenue, Suite 320, Phoenix, Arizona, 85012.

³ Indeed, should the Court grant this Motion, Plaintiff will immediately move to dismiss the case.

7) To date, none of the members of the putative class have received notice of the complaint or the Court's certification order. Accordingly, the putative members of the class will not be prejudiced by an order decertifying the class.

WHEREFORE, Plaintiff prays that the Court grant Plaintiff's Motion to Decertify the Class.

**Bryan Gordon,
By his Attorney**

/s/Christopher M. Lefebvre, Esq. #4019
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CERTIFICATION

I hereby certify that a copy of the attached Unopposed Motion to Decertify was served upon the following counsel of record using the Court's CM/ECF on this 9th day of February, 2011: No notice given.

/s/Christopher M. Lefebvre, Esq